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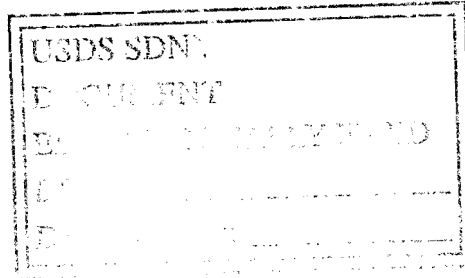
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February 2, 2012

Via UPS Next Day Air

Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street, Chambers 533
White Plains, NY 10601

RE: Deskovic v. City of Peekskill, et al., 07-CV-8150 (KMK)(GAY)
McGarr v. City of Peekskill, et al., 07-CV-9488(KMK)(GAY)

Dear Judge Karas,

As the Court is aware, Wednesday, February 1 was the expiration date of the Court's December 13, 2011, stay of the proceedings against Defendants City of Peekskill, David Levine, Thomas McIntyre, and Eugene Tumolo, including the motions for summary judgment filed by these Defendants. Because the parties have as yet been unable to successfully resolve the case, Plaintiff respectfully requests that the Court schedule a conference at the Court's convenience so that the parties may update the Court and set a new schedule. Plaintiff will appear at the next conference prepared to discuss the Peekskill Defendants' motions and statements of facts, including which elements, if any, require a response from Plaintiff.

Respectfully Submitted,

Nick Brustin
Nick Brustin

The Court already has
scheduled a conference for March 27, 2012,
at 2 pm.

So ordered -
MK
2/6/12